IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.
WRIT PETITION NO.5754 OF 2006

Mr Nagraj pukharaj Oswal, .. Petitioner. (Orig.Deft)

Vs

Mr Rajmal Saremal Jain, .. Respondent. (Orig.Plff)

Mr M.T.Pise, for the petitioner.

CORAM : D.B.BHOSALE,J.
DATE : 30.08.2006

PC:

1. Heard the learned counsel for the petitioner.

2. The petitioner has impugned the order dated 25.7.2006 passed by the court below on the application at Exhibit-113, rejecting the said application by which the petitioner had prayed for stay of the suit pending hearing and final disposal of M. A. No.301 of 2006 filed by the petitioner under section 340 of the Code of Criminal procedure. Admittedly, this application seeking stay to the suit was filed by the petitioner when the suit was fixed for final argument. Keeping that in view and considering the reasons recorded by the learned Judge in the impugned order, in my opinion, no interference under Article 227 of the Constitution of India is called for and the order impugned is just and proper. The writ petition is dismissed.

(D.B.BHOSALE,J.)